

STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS
Monday September 21, 2015 at 10:00 a.m.
Indiana Government Center-South,
Conference Center, Room #1
402 West Washington Street
Indianapolis, Indiana

COMMITTEE MEETINGS

10:00 a.m.

CALL TO ORDER & ESTABLISHMENT OF QUORUM

D. Weisheit called the meeting to order at 1:00 p.m. and established a quorum pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting

Board Members Present:

Diane Weisheit, President
Diana Bonn
Victoria Ross
Gary Odell
Gregory Kenny
Rebecca Bushong

State Officials Present:

Tracy Hicks, Board Director, Indiana Professional Licensing Agency
Jennifer Broadbent, Assistant Director, Indiana Professional Licensing Agency
Philip Thompson, Board Advisory Counsel, Office of the Attorney General

ADOPTION OF THE AMENDED AGENDA

The agenda was adopted as amended.

Bushong/O'Dell
6/0/0
Motion carried.

PAST BOARD MEMBER'S PASSING AND NEW BOARD MEMBERS INTRODUCED

Former board member Elizabeth Lynch recently passed away. New board members Gregory Kenny and Victoria Ross were introduced.

ADOPTION OF THE MINUTES FROM THE AUGUST 17, 2015 MEETING OF THE STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS

A motion was made and seconded to approve the minutes of the August 17, 2015 meeting.

Bonn/Bushong
6/0/0
Motion carried.

ADMINISTRATIVE HEARINGS

A. Continuation of Administrative Hearing in the Matter of Euranus Eugene Dyson, BA10900033, SBCBE 14-110

A motion was made and seconded that the state has proven the case that the license was obtained by fraud and to rescind the license, and not put any restrictions on Respondent to obtain another license.

Bonn/Bushong
6/0/0
Motion carried.

B. Continuation of Administrative Hearing in the Matter of Terry J. Edmond, BA10800141, SBCBE 14-103A

A motion was made and seconded to issue a Default order.

Bushong/Bonn
6/0/0
Motion carried.

A motion was made and seconded that the state has proven the case that the license was obtained by fraud and to rescind the license.

Ross/Bushong
6/0/0
Motion carried.

C. Continuation of Administrative Hearing in the Matter of Panache Day Spa, BS30801906, SBCBE 14-151

A motion was made and seconded to issue a Default order.

Bushong/Bonn
6/0/0
Motion carried.

A motion was made and seconded that the state proved their case, to revoke the license, impose a fine of \$1000 for each of the three violations, impose the costs of proceedings, and impose the \$5 fee to the health records and personal identifying information protection trust fund.

Bonn/Bushong
6/0/0
Motion carried.

D. Continuation of Administrative Hearing in the Matter of Davi Nails, MS31200002, SBCBE 14-153

A motion was made and seconded to issue a Default order.

O'Dell/Bushong
6/0/0
Motion carried.

A motion was made and seconded that the state proved their case, to place the license on indefinite probation with no right to petition for reinstatement for one year, impose a fine of \$1000 for each of the three violations to be paid within ninety days, impose the costs of proceedings,

and impose the \$5 fee to the health records and personal identifying information protection trust fund.

Bonn/Bushong
6/0/0
Motion carried.

E. Continuation of Administrative Hearing in the Matter of Urban Masterpiece Barber Shop, BS21200062, SBCBE 14-102A

A motion was made and seconded to issue a Default order.

O'Dell/Ross
6/0/0
Motion carried.

A motion was made and seconded that the state proved their case, to place the license on indefinite probation with no right to petition for reinstatement for one year, impose a fine of \$1000 for each of the three violations to be paid within ninety days, submit quarterly reports indicating their employees and license numbers, require a personal appearance prior to removal of probation, impose the costs of proceedings, and impose the \$5 fee to the health records and personal identifying information protection trust fund.

Bushong/Bonn
6/0/0
Motion carried.

F. Continuation of Administrative Hearing in the Matter of Hobart Nail & Spa, EH31300023, SBCBE 14-108A

A motion was made and seconded to issue a Default order.

Bushong/O'Dell
6/0/0
Motion carried.

A motion was made and seconded that the state proved their case, to place the license on indefinite probation with no right to petition for reinstatement for one year, impose a fine of \$1000 for each of the seven violations to be paid within ninety days, impose the costs of proceedings, and impose the \$5 fee to the health records and personal identifying information protection trust fund.

Bonn/Bushong
6/0/0
Motion carried.

OFFICE OF THE ATTORNEY GENERAL CONSUMER PROTECTION DIVISION REPORT

Written report filed.

PERSONAL APPEARANCES AND CONSIDERATION OF APPLICATION FOR LICENSE RENEWAL IN THE MATTER OF

A. Crystal Browning, BC29901609

A motion was made and seconded to approve renewal on probation with no right to petition for removal of probation until released from criminal probation.

Bonn/O'Dell
6/0/0
Motion carried.

B. Stephanie DeLongchamp, BC20806248

A motion was made and seconded to approve renewal on probation with no right to petition for removal of probation until released from criminal probation.

Bonn/O'Dell
6/0/0
Motion carried.

C. Charity Carmien, BC20400036

A motion was made and seconded to approve renewal on probation with no right to petition for removal of probation until released from criminal probation.

Bushong/O'Dell
6/0/0
Motion carried.

D. Allison Corrao, BC20704071

A motion was made and seconded to approve renewal on probation with no right to petition for removal of probation until released from criminal probation.

Bonn/Bushong
6/0/0
Motion carried.

E. Carlie Harker, BC21200548

A motion was made and seconded to deny the application for renewal for failure to appear.

Bonn/Bushong
6/0/0
Motion carried.

F. Allison Hayden, BC21101476

A motion was made and seconded to approve renewal on probation with no right to petition for removal of probation until released from criminal probation.

Bushong/Ross/Bonn
5/1/0
Motion carried.

G. YaQuana Killebrew, BC21200127

A motion was made and seconded to deny the application for renewal for failure to appear.

Bonn/Bushong
6/0/0

Motion carried.

H. Victoria Wyeth, BC21101764

A motion was made and seconded to approve renewal on probation with no right to petition for removal of probation until released from criminal probation.

Ross/O'Dell
6/0/0
Motion carried.

PERSONAL APPEARANCE AND CONSIDERATION OF APPLICATION FOR LICENSE REINSTATEMENT IN THE MATTER OF:

A. Amber Malstaff, BC20401331

A motion was made and seconded to deny the application for renewal for failure to appear.

Bonn/Ross
6/0/0
Motion carried.

B. Alyssa Morris, BC21101812

A motion was made and seconded to approve renewal on probation with no right to petition for removal of probation until released from criminal probation.

Bushong/O'Dell
6/0/0
Motion carried.

C. Laura Toops, BC21200040

A motion was made and seconded to approve renewal on probation with no right to petition for removal of probation until released from criminal probation.

Bushong/O'Dell
6/0/0
Motion carried.

CONSIDERATION OF ADMINISTRATIVE LAW JUDGE'S ORDERS

A. Miranda Loos, SBCBE 15-46

A motion was made and seconded to affirm the Administrative Law Judge's Order.

Bonn/Bushong
6/0/0
Motion carried.

B. O'Dell Jamar Reeves, SBCBE 15-47

A motion was made and seconded to affirm the Administrative Law Judge's Order.

Bonn/Bushong
6/0/0

Motion carried.

REQUEST FOR WAIVER OF 820 IAC 2-2-3 OR 820 IAC 8-2-20, PASSING THE EXAMINATION WITHIN THREE YEARS OF GRADUATION

A. Claudette Brown

A motion was made and seconded to approve the request and allow her six months to pass the examination.

Bonn/O'Dell
6/0/0
Motion carried.

B. Merrissa Scott

A motion was made and seconded to deny the request for failure to provide documentation

Bonn/Bushong
6/0/0
Motion carried.

C. Iris Taylor

A motion was made and seconded to approve the request and allow her six months to pass the examination.

Bushong/O'Dell
6/0/0
Motion carried.

D. Amber White

A motion was made and seconded to approve the request and allow her until December 31, 2015 to pass the examination.

Bonn/O'Dell
6/0/0
Motion carried.

CORRESPONDENCE FROM RAVENSCROFT BEAUTY COLLEGE

The board had no comment regarding the correspondence.

CONSIDERATION OF PROPOSED RULE DRAFT REGARDING BEAUTY CULTURE PROFESSIONALS, BEAUTY CULTURE SCHOOLS, AND BEAUTY CULTURE SALONS

A motion was made and seconded to table the final draft for additional changes and schedule a rules committee meeting at a later date.

Bushong/Bonn
6/0/0
Motion carried.

CONVICTION RECORDS THAT DO NOT NEED BOARD CONSIDERATION WHEN PROCESSING NEW OR RENEWAL APPLICATIONS

A motion was made and seconded to send all new positive response applications to the board so the board can assess what type of charges/convictions may or may not need to be approved on probation.

Bonn/O'Dell
6/0/0
Motion carried.

APPLICATION COMMITTEE REPORT

A motion was made and seconded to accept the application committee report as follows.

Bonn/Bushong
6/0/0
Motion carried.

COSMETOLOGY

A. By Examination

Forgey, Rhonda K. - Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.

Garner, Taylor - Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.

Tanaka, Kiyoe – Tabled for personal appearance.

B. Reciprocity

Ha, Nguyen Ahn - Denied, IC 25-8-4(a)(2), not substantially equivalent.

Heng, Putheavy - Denied, IC 25-8-4(a)(2), not substantially equivalent.

Nguyen, Han Thi Ngoc- Denied, IC 25-8-4(a)(2), not substantially equivalent.

Nguyen, Jennifer – Denied, IC 25-1-11-19(b)(1), fraudulent documentation.

C. Provisional

Garcia, Jarumi - Denied, IC 25-8-4-2.9(b)(1) and (2), insufficient training and unlicensed practice in Indiana.

Gogna, Rinku B. – Tabled, pending work experience since graduation.

Hoang, Vi T. – Denied, IC 25-8-4-2.9(b)(1), insufficient training.

MANICURIST

A. By Examination

Cao, Tan Khanh Minh – APPROVED

Do, Dan Minh - Denied, IC 25-1-11-19(b)(1), fraudulent documentation.

B. By Reciprocity

Dinh, Nguyen Nguyen - Denied, IC 25-8-4(a)(2), not substantially equivalent.

Nguyen, Anh - Denied, IC 25-8-4(a)(2), not substantially equivalent.

C. Provisional

Nguyen, Giang Kim Thi – Denied, IC 25-8-4-2.9(b)(1), insufficient training. Possible fraud.

Tran, Linh T.- Denied, IC 25-8-4-2.9(b)(2), unlicensed practice in Indiana.

ESTHETICIAN

A. By Reciprocity

Hammons, Jessica Lynn - Denied, IC 25-8-4(a)(2), not substantially equivalent.

BARBER

A. By Examination

Baker, Dawaan - Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.

Blair, Joseph - Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.

Dyson, Euranus Eugene

Norris, Antonio Richard - Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations and with a condition the individual must not practice on minors.

Perez, Victor - Denied, IC 4-1-8-1 and IC 25-1-6-10 for no Social Security number.

Rivera, Heriberto - Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations and with a condition the individual must not practice on minors.

Smith, Victor – APPROVED.

Stevens, Doniko - Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations and with a condition the individual must not practice on minors.

Victor, Eduardo - Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations and with a condition the individual must not practice on minors.

Williams, Anthony - APPROVED

Williams, James - Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.

INSTRUCTOR

A. By Examination

Hall, Melissa – Denied, IC 25-1-11-5, previously submitted fraudulent documentation.

FACILITY APPLICATIONS

A. Beauty Culture Salon

Cati B. Designs, 9879 East 116th Street, Suite 12, Fishers, IN 46037 – Denied, IC 25-1-11-5, previously submitted fraudulent documentation.

Glamour Nails, 301 West US Highway 20 Suite 2, Michigan City, In 46360 – Denied, failed inspection.

Great Clips #2556, 335 County Road 6 East, Suite C, Elkhart, IN 46516 – Denied, failed inspection.

ADJOURNMENT

The meeting adjourned at 5:53 p.m.